



STATE OF WISCONSIN Assembly Journal

One-Hundred and Second Regular Session

12:57 P.M.

THURSDAY, January 22, 2015

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Pro Tempore August in the Chair.

Representative Knodl asked unanimous consent for a quorum call. Granted.

A quorum was present.

Speaker Vos in the chair.

The prayer was offered by Representative Murphy.

Representative Novak led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present - Representatives Allen, August, Ballweg, Barca, Barnes, Berceau, Bernier, Billings, Born, Bowen, Brandtjen, E. Brooks, R. Brooks, Brostoff, Considine, Craig, Czaja, Danou, Doyle, Edming, Gannon, Genrich, Goyke, Heaton, Hesselbein, Hintz, Horlacher, Hutton, Jacque, Jagler, Jarchow, Johnson, Jorgensen, Kahl, Kapenga, Katsma, Kerkman, Kessler, Kitchens, Kleefisch, Knodl, Knudson, Kolste, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudonbeck, Macco, Mason, Meyers, Milroy, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, Ohnstad, A. Ott, J. Ott, Petersen, Petryk, Pope, Quinn, Riemer, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Sargent, Schraa, Shankland, Skowronski, Spiros, Spreitzer, Steffen, Steineke, Stuck, Subeck, Swearingen, Tauchen, C. Taylor, Thiesfeldt, Tittl, VanderMeer, Vorpapel, Wachs, Weatherston, Young, Zamarripa, Zepnick and Speaker Vos - 96.

Absent with leave - Representatives Hebl, Sinicki and Tranel - 3.

Vacancies - None.

LEAVES OF ABSENCE

Representative Murtha asked unanimous consent for a leave of absence for today's session for Representative Tranel. Granted.

Representative Jorgensen asked unanimous consent for a leave of absence for today's session for Representatives Hebl and Sinicki. Granted.

LEAVES OF ABSENCE

Representative Jorgensen asked unanimous consent for a leave of absence for part of today's session for Representative Milroy. Granted.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 14-026

Relating to the "grow Wisconsin dairy processor" grant program created under ss. 20.115 (4) (dm) and 93.40 (1) (g), Stats.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, January 7, 2015.

To committee on **Agriculture**.

Referred on January 22, 2015.

Assembly Clearinghouse Rule 14-037

Relating to egg grading, handling and labeling, and affecting small business.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, January 7, 2015.

To committee on **Agriculture**.

Referred on January 22, 2015.

Assembly Clearinghouse Rule 14-039

Relating to leaf tobacco buying and selling.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, January 7, 2015.

To committee on **Agriculture**.

Referred on January 22, 2015.

Assembly Clearinghouse Rule 14-055

Relating to technical and minor substantive changes in existing ETF administrative rules.

Submitted by Department of Employee Trust Funds.

Report received from Agency, January 7, 2015.

To committee on **State Affairs and Government Operations**.

Referred on January 22, 2015.

COMMUNICATIONS

January 22, 2015

Patrick E. Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

I respectfully ask that my name be withdrawn as a co-sponsor of Assembly Bill 8, relating to invading an individual's privacy by viewing under or through clothing and providing a penalty.

Sincerely,
NIKIYA HARRIS DODD
 State Senator
 6th Senate District

CALENDAR OF THURSDAY, JANUARY 22

Representative Steineke asked unanimous consent that **Senate Joint Resolution 2** be withdrawn from today's calendar and taken up at this time. Granted.

Senate Joint Resolution 2

Relating to: election of chief justice (second consideration).

Speaker Pro Tempore August in the Chair.

Representative Barca moved that **Senate Joint Resolution 2** be referred to the committee on **Constitution and Ethics**.

The question was: Shall **Senate Joint Resolution 2** be referred to the committee on **Constitution and Ethics**?

The roll was taken.

The result follows:

Ayes - Representatives Barca, Barnes, Berceau, Billings, Bowen, Brostoff, Considine, Danou, Doyle, Genrich, Goyke, Hesselbein, Hintz, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Meyers, Ohnstad, Pope, Riemer, Sargent, Shankland, Spreitzer, Stuck, Subeck, C. Taylor, Wachs, Young, Zamarripa and Zepnick - 33.

Noes - Representatives Allen, August, Ballweg, Bernier, Born, Brandtjen, E. Brooks, R. Brooks, Craig, Czaja, Edming, Gannon, Heaton, Horlacher, Hutton, Jacque, Jagler, Jarchow, Kapenga, Katsma, Kerkman, Kitchens, Kleefisch, Knodl, Knudson, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudenberg, Macco, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, A. Ott, J. Ott, Petersen, Petryk, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Schraa, Skowronski, Spiros, Steffen, Steineke, Swearingen, Tauchen, Thiesfeldt, Tittl, VanderMeer, Vorpapel, Weatherston and Speaker Vos - 62.

Absent or not voting - Representatives Hebl, Milroy, Sinicki and Tranel - 4.

Motion failed.

Representative Milroy asked unanimous consent that his leave of absence be lifted. Granted.

Assembly Substitute Amendment 3 to **Senate Joint Resolution 2** offered by Representatives Wachs, Ohnstad, Pope, Berceau, Billings, Kolste, Sargent, Kessler, Stuck, Hesselbein, Considine, Meyers, Young, Spreitzer, Doyle,

Danou, Shankland, Brostoff, Bowen, Hintz, Johnson, Jorgensen, Zamarripa and Barca.

Representative Steineke moved that Assembly Substitute Amendment 3 to **Senate Joint Resolution 2** be laid on the table.

The question was: Shall Assembly Substitute Amendment 3 to **Senate Joint Resolution 2** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives Allen, August, Ballweg, Bernier, Born, Brandtjen, E. Brooks, R. Brooks, Craig, Czaja, Edming, Gannon, Heaton, Horlacher, Hutton, Jacque, Jagler, Jarchow, Kapenga, Katsma, Kerkman, Kitchens, Kleefisch, Knodl, Knudson, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudenberg, Macco, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, A. Ott, J. Ott, Petersen, Petryk, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Schraa, Skowronski, Spiros, Steffen, Steineke, Swearingen, Tauchen, Thiesfeldt, Tittl, VanderMeer, Vorpapel, Weatherston and Speaker Vos - 62.

Noes - Representatives Barca, Barnes, Berceau, Billings, Bowen, Brostoff, Considine, Danou, Doyle, Genrich, Goyke, Hesselbein, Hintz, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Meyers, Milroy, Ohnstad, Pope, Riemer, Sargent, Shankland, Spreitzer, Stuck, Subeck, C. Taylor, Wachs, Young, Zamarripa and Zepnick - 34.

Absent or not voting - Representatives Hebl, Sinicki and Tranel - 3.

Motion carried.

Assembly Substitute Amendment 2 to **Senate Joint Resolution 2** offered by Representatives C. Taylor, Barca, Subeck, Sargent and Zamarripa.

Representative Steineke moved that Assembly Substitute Amendment 2 to **Senate Joint Resolution 2** be laid on the table.

The question was: Shall Assembly Substitute Amendment 2 to **Senate Joint Resolution 2** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives Allen, August, Ballweg, Bernier, Born, Brandtjen, E. Brooks, R. Brooks, Craig, Czaja, Edming, Gannon, Heaton, Horlacher, Hutton, Jacque, Jagler, Jarchow, Kapenga, Katsma, Kerkman, Kitchens, Kleefisch, Knodl, Knudson, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudenberg, Macco, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, A. Ott, J. Ott, Petersen, Petryk, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Schraa, Skowronski, Spiros, Steffen, Steineke, Swearingen, Tauchen, Thiesfeldt, Tittl, VanderMeer, Vorpapel, Weatherston and Speaker Vos - 62.

Noes - Representatives Barca, Barnes, Berceau, Billings, Bowen, Brostoff, Considine, Danou, Doyle, Genrich, Goyke, Hesselbein, Hintz, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Meyers, Milroy, Ohnstad, Pope, Riemer, Sargent, Shankland, Spreitzer, Stuck, Subeck, C. Taylor, Wachs, Young, Zamarripa and Zepnick - 34.

Absent or not voting - Representatives Hebl, Sinicki and Tranel - 3.

Motion carried.

Assembly Substitute Amendment 1 to **Senate Joint Resolution 2** offered by Representatives Goyke and Wachs.

Representative Steineke moved that Assembly Substitute Amendment 1 to **Senate Joint Resolution 2** be laid on the table.

The question was: Shall Assembly Substitute Amendment 1 to **Senate Joint Resolution 2** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives Allen, August, Ballweg, Bernier, Born, Brandtjen, E. Brooks, R. Brooks, Craig, Czaja, Edming, Gannon, Heaton, Horlacher, Hutton, Jacque, Jagler, Jarchow, Kapenga, Katsma, Kerkman, Kitchens, Kleefisch, Knodl, Knudson, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudonbeck, Macco, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, A. Ott, J. Ott, Petersen, Petryk, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Schraa, Skowronski, Spiros, Steffen, Steineke, Swearingen, Tauchen, Thiesfeldt, Tittl, VanderMeer, Vorpapel, Weatherston and Speaker Vos - 62.

Noes - Representatives Barca, Barnes, Berceau, Billings, Bowen, Brostoff, Considine, Danou, Doyle, Genrich, Goyke, Hesselbein, Hintz, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Meyers, Milroy, Ohnstad, Pope, Riemer, Sargent, Shankland, Spreitzer, Stuck, Subeck, C. Taylor, Wachs, Young, Zamarripa and Zepnick - 34.

Absent or not voting - Representatives Hebl, Sinicki and Tranel - 3.

Motion carried.

Assembly Amendment 1 to **Senate Joint Resolution 2** offered by Representatives Wachs, Shankland, Mason, Goyke, C. Taylor, Young, Berceau and Ohnstad.

Representative August in the chair.

Representative Steineke moved that Assembly Amendment 1 to **Senate Joint Resolution 2** be laid on the table.

The question was: Shall Assembly Amendment 1 to **Senate Joint Resolution 2** be laid on the table?

The roll was taken.

The result follows:

Ayes - Representatives Allen, August, Ballweg, Bernier, Born, Brandtjen, E. Brooks, R. Brooks, Craig, Czaja, Edming, Gannon, Heaton, Horlacher, Hutton, Jacque, Jagler, Jarchow, Kapenga, Katsma, Kerkman, Kitchens, Kleefisch, Knodl, Knudson, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudonbeck, Macco, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, A. Ott, J. Ott, Petersen, Petryk, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Schraa, Skowronski, Spiros, Steffen, Steineke, Swearingen, Tauchen, Thiesfeldt, Tittl, VanderMeer, Vorpapel, Weatherston and Speaker Vos - 62.

Noes - Representatives Barca, Barnes, Berceau, Billings, Bowen, Brostoff, Considine, Danou, Doyle, Genrich, Goyke, Hesselbein, Hintz, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Meyers, Milroy, Ohnstad, Pope, Riemer, Sargent, Shankland, Spreitzer, Stuck, Subeck, C. Taylor, Wachs, Young, Zamarripa and Zepnick - 34.

Absent or not voting - Representatives Hebl, Sinicki and Tranel - 3.

Motion carried.

The question was: Shall **Senate Joint Resolution 2** be ordered to a third reading?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 2** be given a third reading. Granted.

The question was: **Senate Joint Resolution 2** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes - Representatives Allen, August, Ballweg, Bernier, Born, Brandtjen, E. Brooks, R. Brooks, Craig, Czaja, Edming, Gannon, Heaton, Horlacher, Hutton, Jacque, Jagler, Jarchow, Kapenga, Katsma, Kerkman, Kitchens, Kleefisch, Knodl, Knudson, Kooyenga, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Loudonbeck, Macco, Murphy, Mursau, Murtha, Nerison, Neylon, Novak, Nygren, A. Ott, J. Ott, Petersen, Petryk, Quinn, Ripp, Rodriguez, Rohrkaste, Sanfelippo, Schraa, Skowronski, Spiros, Steffen, Steineke, Swearingen, Tauchen, Thiesfeldt, Tittl, VanderMeer, Vorpapel, Weatherston and Speaker Vos - 62.

Noes - Representatives Barca, Barnes, Berceau, Billings, Bowen, Brostoff, Considine, Danou, Doyle, Genrich, Goyke, Hesselbein, Hintz, Johnson, Jorgensen, Kahl, Kessler, Kolste, Mason, Meyers, Milroy, Ohnstad, Pope, Riemer, Sargent, Shankland, Spreitzer, Stuck, Subeck, C. Taylor, Wachs, Young, Zamarripa and Zepnick - 34.

Paired for - Representative Tranel - 1.

Paired against - Representative Hebl - 1.

Absent or not voting - Representative Sinicki - 1.

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 2** be immediately messaged to the Senate. Granted.

Assembly Joint Resolution 1

Relating to: election of chief justice (second consideration).

Representative Steineke asked unanimous consent that **Assembly Joint Resolution 1** be laid on the table. Granted.

Assembly Bill 2

Relating to: laying out, altering, or discontinuing a town line highway.

The question was: Shall **Assembly Bill 2** be ordered to a third reading?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Assembly Bill 2** be given a third reading. Granted.

The question was: **Assembly Bill 2** having been read three times, shall the bill be passed?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Assembly Bill 2** be immediately messaged to the Senate. Granted.

Assembly Bill 3

Relating to: appealing a municipal court matter after review by a circuit court.

The question was: Shall **Assembly Bill 3** be ordered to a third reading?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Assembly Bill 3** be given a third reading. Granted.

The question was: **Assembly Bill 3** having been read three times, shall the bill be passed?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Assembly Bill 3** be immediately messaged to the Senate. Granted.

Assembly Bill 4

Relating to: incorporation of the town of Ledgeview in Brown County.

The question was: Shall **Assembly Bill 4** be ordered to a third reading?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Assembly Bill 4** be given a third reading. Granted.

The question was: **Assembly Bill 4** having been read three times, shall the bill be passed?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Assembly Bill 4** be immediately messaged to the Senate. Granted.

LEAVES OF ABSENCE

Representative Murtha asked unanimous consent for a leave of absence for part of today's session for Representative Kulp. Granted.

Assembly Bill 5

Relating to: intimidating a witness.

The question was: Shall **Assembly Bill 5** be ordered to a third reading?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Assembly Bill 5** be given a third reading. Granted.

The question was: **Assembly Bill 5** having been read three times, shall the bill be passed?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Assembly Bill 5** be immediately messaged to the Senate. Granted.

Assembly Bill 6

Relating to: eliminating an obsolete statutory provision.

The question was: Shall **Assembly Bill 6** be ordered to a third reading?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Assembly Bill 6** be given a third reading. Granted.

The question was: **Assembly Bill 6** having been read three times, shall the bill be passed?

Motion carried.

Representatives Berceau, Subeck, Sargent, Wachs, Stuck and Hesselbein asked unanimous consent to be recorded as voting "**No**" on the previous question. Granted.

Representative Steineke asked unanimous consent that the rules be suspended and that **Assembly Bill 6** be immediately messaged to the Senate. Granted.

Assembly Bill 8

Relating to: invading an individual's privacy by viewing under or through clothing and providing a penalty.

Assembly Amendment 1 to **Assembly Bill 8** offered by Representatives Kessler, Subeck, Barnes and Zamarripa.

Representative Steineke asked unanimous consent that Assembly Amendment 1 to **Assembly Bill 8** be laid on the table. Granted.

Representatives Young, Johnson and Horlacher asked unanimous consent to be added as coauthors of **Assembly Bill 8**. Granted.

The question was: Shall **Assembly Bill 8** be ordered to a third reading?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Assembly Bill 8** be given a third reading. Granted.

The question was: **Assembly Bill 8** having been read three times, shall the bill be passed?

Motion carried.

Representative Steineke asked unanimous consent that the rules be suspended and that **Assembly Bill 8** be immediately messaged to the Senate. Granted.

VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Paul Osterhouse and Matt Bonen of the Taycheeda Correctional Institute, guests of Representative Schraa.

Britt Cudaback, staff member and guest of Representative Sargent.

ANNOUNCEMENTS

Representative Jorgensen asked unanimous consent that the Assembly adjourn in memory of Frank Micale of Fort Atkinson, who passed away on January 15. Mr. Micale was a founding father of the Rock-Koshkonong Lake District and a member of the Sumner Town Board. Granted.

Representative Jarchow asked unanimous consent that the Assembly adjourn in memory of former State Representative David Earl Paulson of Amery, who passed away on January 17. Granted.

Representative Pope asked unanimous consent that the Assembly adjourn in memory of her mother-in-law, Jean Van Gordon, who passed away on January 8. Ms. Gordon served as the Secretary/Treasurer of the Carnegie Foundation in Princeton, NJ and was an honored member of their Board of Directors. Granted.

Representative Vos asked unanimous consent that the Assembly adjourn in honor of Norris "Jack" Berry, recipient of the 2015 Rotary Club of Burlington Humanitarian of the Year award. Granted.

Representative Zepnick asked unanimous consent that the Assembly adjourn in honor of Milwaukee Police Officer Sebastian Raclaw, who is battling cancer. Granted.

Representative Barca asked unanimous consent that the Assembly adjourn in honor of his mother-in-law, Joan Hau, on the occasion of her 85th birthday. Granted.

Representative Kremer asked unanimous consent that the Assembly adjourn in honor of Elroy "Herbie" Schreiner of New Holstein, a recipient of the New Holstein Citizen of the Year award, for his service to the New Holstein community. Granted.

Representative Czaja asked unanimous consent that the Assembly adjourn in honor of Father John Anderson, who donated a portion of his liver to a constituent. Granted.

Representative Bernier asked unanimous consent that the Assembly adjourn in honor of her colleagues in the State Assembly for their heartfelt condolences upon the passing of her mother. Granted.

Representative Berceau asked unanimous consent that the Assembly adjourn in honor of University of Wisconsin-Madison Chancellor Rebecca Blank, a recent recipient of the Daniel Patrick Moynihan Prize from the American Academy of Political and Social Science. Granted.

Representative Berceau asked unanimous consent that the Assembly adjourn in honor of the Republican Women in Congress. Granted.

Representative Subeck asked unanimous consent that the Assembly adjourn in honor of the 42nd anniversary of the United States Supreme Court's landmark Roe v. Wade decision, protecting a woman's right to a safe and legal abortion. Granted.

Representative Jacque asked unanimous consent that the Assembly adjourn in honor of 2014 Brown County Fairest of the Fair, Deanna Schlies of Denmark, for being crowned as the 2015 Wisconsin State Fairest of the Fairs, representing all 76 Wisconsin county and district fairs this year. Granted.

Representative Jacque asked unanimous consent that the Assembly adjourn in honor of the participants in the 42nd annual March for Life in Washington, DC, marking the anniversary of the Roe v. Wade decision. Granted.

Representative Wachs asked unanimous consent that the Assembly adjourn in honor of Wisconsin Chief Justice Shirley Abrahamson. Granted.

Representatives Shankland and Barca asked unanimous consent that the Assembly adjourn in honor of Representative Fred Kessler, who donated \$300,000 to the University of Wisconsin-Milwaukee to develop future city leaders through scholarships awarded to Milwaukee Public School students. Granted.

Representative Zamarripa asked unanimous consent that the Assembly adjourn in honor of her two younger sisters, JoAnna and Molly Jo Bautch, on the occasion of their birthdays. Granted.

Representative Bowen asked unanimous consent that the Assembly adjourn in honor of the many organizations and citizens who celebrated the life of Dr. Martin Luther King, Jr. on Monday, January 19. Granted.

Representative Riemer asked unanimous consent that the Assembly adjourn in honor of his friend Maggie Moss, on the occasion of her birthday on January 21. Granted.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:24 P.M.

ADJOURNMENT

Representative Steineke moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, January 27.